



Federal Register

1-27-05

Vol. 70 No. 17

Thursday

Jan. 27, 2005

Pages 3851-4002



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.archives.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 70 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

Online mailing list archives

FEDREGTOC-L

Join or leave the list

Then follow the instructions.

What's NEW!

Regulations.gov, the award-winning Federal eRulemaking Portal

Regulations.gov is the one-stop U.S. Government web site that makes it easy to participate in the regulatory process.

Try this fast and reliable resource to find all rules published in the **Federal Register** that are currently open for public comment. Submit comments to agencies by filling out a simple web form, or use available e-mail addresses and web sites.

The Regulations.gov e-democracy initiative is brought to you by NARA, GPO, EPA and their eRulemaking partners.

Visit the web site at: <http://www.regulations.gov>



Contents

Federal Register

Vol. 70, No. 17

Thursday, January 27, 2005

Agency for Healthcare Research and Quality

NOTICES

Meetings:

Health Services Research Initial Review Group;
correction, 3929–3930

Agriculture Department

See Forest Service

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3903

Centers for Disease Control and Prevention

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3930–3931

Grant and cooperative agreement awards:

National Alliance of State and Territorial AIDS Directors,
3931–3932

Meetings:

Disease, Disability, and Injury Prevention and Control
Special Emphasis Panel, 3932

Children and Families Administration

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3933

Reports and guidance documents; availability, etc.:

New York State Office of Children and Family Services;
foster care plan amendment; disapproval; notice of
appeal, 3933–3934

Coast Guard

RULES

Regattas and marine parades:

Annual Gasparilla Marine Parade, 3879–3880

NOTICES

Organization, functions, and authority delegations:
Sector Baltimore, 3938–3939

Commerce Department

See International Trade Administration

See National Oceanic and Atmospheric Administration

See Patent and Trademark Office

Defense Department

NOTICES

Meetings:

Science Board task forces, 3909–3910

Education Department

NOTICES

Grants and cooperative agreements; availability, etc.:

Vocational and adult education—

Smaller Learning Communities Program, 3910–3918

Meetings:

Individuals with Disabilities Education Improvement Act;
regulatory issues, 3918

Employment and Training Administration

PROPOSED RULES

Aliens; temporary employment in U.S.:

H-2B petitions in all occupations other than excepted
occupations; post-adjudication audits, 3992–3997

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency

RULES

Hazardous waste program authorizations:

Georgia, 3894–3896

PROPOSED RULES

Hazardous waste program authorizations:

Georgia, 3902

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3923–3925

Committees; establishment, renewal, termination, etc.:

North American Commission for Environmental
Cooperation, 3925–3926

Executive Office of the President

See Management and Budget Office

See Presidential Documents

Export-Import Bank

NOTICES

Meetings:

Sub-Saharan Africa Advisory Committee, 3926

Federal Aviation Administration

RULES

Airworthiness directives:

Airbus, 3871–3874

Pratt & Whitney, 3867–3871

Raytheon; correction, 3871

Rolls-Royce plc, 3863–3867

NOTICES

Aeronautical land-use assurance; waivers:

Monroe Regional Airport, LA, 3971–3972

Air traffic operating and flight rules, etc.:

National parks air tour management; commercial air tour
operator annual authorizations; opportunity to
review and self-correct, 3972–3973

Passenger facility charges; applications, etc.:

Pellston Regional Airport, MI, 3973–3974

Federal Election Commission

NOTICES

Special elections; filing dates:

California, 3926–3927

Federal Energy Regulatory Commission

NOTICES

Electric rate and corporate regulation filings, 3922–3923

Applications, hearings, determinations, etc.:

AEP Power Marketing, Inc., et al., 3918–3919

California Independent System Operator Corp., et al.,
3919

Clark Fork and Blackfoot, LLC, 3919–3922

PJM Interconnection, L.L.C., 3922

Federal Highway Administration

NOTICES

Environmental statements; notice of intent:
St. Clair County, MI, 3974

Federal Reserve System

NOTICES

Banks and bank holding companies:
Formations, acquisitions, and mergers, 3927–3928

Federal Trade Commission

RULES

Appliances, consumer; energy consumption and water use
information in labeling and advertising:
Comparability ranges—
Standard clothes washers, 3874–3878

NOTICES

Interlocking directorates:
Clayton Act; Section 8 jurisdictional thresholds, 3928

Financial Management Service

See Fiscal Service

Fiscal Service

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3979

Food and Drug Administration

NOTICES

Meetings:
Cellular, Tissue and Gene Therapies Advisory
Committee, 3934–3935
Center for Biologics Evaluation and Research; workshop,
3935–3936
Vaccines and Related Biological Products Advisory
Committee, 3936

Forest Service

NOTICES

Meetings:
Resource Advisory Committees—
Eastern Idaho, 3903

General Services Administration

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3928–3929

Health and Human Services Department

See Agency for Healthcare Research and Quality
See Centers for Disease Control and Prevention
See Children and Families Administration
See Food and Drug Administration
See National Institutes of Health

Homeland Security Department

See Coast Guard

PROPOSED RULES

Nonimmigrant classes:
Aliens—
H-2B Program; one-step application process for U.S.
employers seeking workers to perform temporary
labor or services, 3983–3993

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3937–3938

Housing and Urban Development Department

RULES

Public and Indian housing:
Indian Housing Block Grant Program; minimum funding
extension, 3999–4001

NOTICES

Privacy Act:
Computer matching programs, 3939–3941

Indian Affairs Bureau

NOTICES

Tribal-State Compacts approval; Class III (casino) gambling:
Absentee Shawnee Tribe et al., OK, 3942

Interior Department

See Indian Affairs Bureau

See Land Management Bureau

NOTICES

Meetings:
Invasive Species Advisory Committee, 3941

International Trade Administration

NOTICES

Antidumping:
Frozen concentrated orange juice from—
Brazil, 3904–3905
Antidumping and countervailing duties:
Five-year (sunset) reviews—
Final results; time limits extension, 3904

International Trade Commission

NOTICES

Import investigations:
Automotive measuring devices, products, and bezels,
3943
Frozen or canned warmwater shrimp and prawns from—
Various countries, 3943–3944
Stainless steel plate from—
Various countries, 3944
Meetings; Sunshine Act, 3944–3945

Labor Department

See Employment and Training Administration

Land Management Bureau

NOTICES

Meetings:
Resource Advisory Councils—
Front Range, 3942
Organization, functions, and authority delegations:
Lewistown Field Office, MT; relocation, 3942
Realty actions; sales, leases, etc.:
South Dakota; correction, 3942–3943

Management and Budget Office

NOTICES

Meetings:
Acquisition Advisory Panel, 3945

National Credit Union Administration

RULES

Credit unions:
Organization and operations—
Loan interest rates, 3861–3863

National Highway Traffic Safety Administration

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3974–3975

Reports and guidance documents; availability, etc.:
Lives saved by Federal motor vehicle safety standards
and other vehicle safety technologies, 1960-2002,
passenger cars and light trucks, et al., 3975-3976

National Institutes of Health

NOTICES

Meetings:

National Library of Medicine, 3936-3937

Reports and guidance documents; availability, etc.:

Drugs for which pediatric studies are needed; list, 3937

National Oceanic and Atmospheric Administration

RULES

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—
Pollock, 3896-3897

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3905-3906

Coastal zone management programs and estuarine
sanctuaries:

Consistency appeals—

DeRosa, Luz Torres, 3906-3907

Rodriguez, Fernando E. Otero, 3906

Committees; establishment, renewal, termination, etc.:

Ecosystem Research and Science Enterprise Review
Panel, 3907

Meetings:

Gulf of Mexico red snapper; workshops, 3907-3908

Pacific Fishery Management Council, 3908

Western Pacific Fishery Management Council, 3908-3909

Nuclear Regulatory Commission

PROPOSED RULES

Rulemaking petitions:

Northeast Ohio Regional Sewer District; denied, 3898-
3902

Office of Management and Budget

See Management and Budget Office

Patent and Trademark Office

RULES

Practice and procedure:

Consolidated Appropriations Act, 2005; patent fee related
provisions; implementation, 3880-3892

Personnel Management Office

RULES

Homeland Security Act; implementation:

Voluntary separation incentive payments, 3858-3861

Pay administration:

Compensatory time off for travel, 3855-3858

NOTICES

Excepted service:

Schedules A, B, and C; positions placed or revoked—
Update, 3945-3946

Presidential Documents

ADMINISTRATIVE ORDERS

Azerbaijan; extension of waiver under the FREEDOM

Support Act of 1992 (Presidential Determination)

No. 2005-18 of January 13, 2005, 3853

Palestinian Authority; imposition and waiver of sanctions
(Presidential Determination)

No. 2005-17 of January 7, 2005, 3851

Public Debt Bureau

See Fiscal Service

Research and Special Programs Administration

NOTICES

Hazardous materials:

Safety advisories; compressed gas cylinders;
unauthorized marking, 3976-3977

Securities and Exchange Commission

NOTICES

Investment Company Act of 1940:

AIG SunAmerica Asset Management Corp., et al., 3946-
3950

Meetings; Sunshine Act, 3950-3951

Public Utility Holding Company Act of 1935 filings, 3951-
3952

Self-regulatory organizations; proposed rule changes:

Pacific Exchange, Inc., 3952-3959

State Department

NOTICES

Art objects; importation for exhibition:

Basquiat, 3959

Max Ernst: A Retrospective, 3959-3960

Toulouse-Lautrec and Montmartre, 3960

Grants and cooperative agreements; availability, etc.:

Bosnia and Herzegovina Youth Leadership Program,
3960-3964

Partnerships for Learning Thematic Youth Projects
Initiative, 3965-3971

Meetings:

International Telecommunication Advisory Committee,
3971

Surface Transportation Board

NOTICES

Motor carriers:

Collective-activities agreements; periodic review
proceeding; correction, 3977-3978

Transportation Department

See Federal Aviation Administration

See Federal Highway Administration

See National Highway Traffic Safety Administration

See Research and Special Programs Administration

See Surface Transportation Board

Treasury Department

See Fiscal Service

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 3978-3979

Veterans Affairs Department

RULES

Loan guaranty:

Veterans Education and Benefits Expansion Act;
implementation, 3892-3893

NOTICES

Meetings:

Homeless Veterans Advisory Committee, 3979

Professional Certification and Licensure Advisory
Committee, 3979-3980

Privacy Act:

Systems of records, 3980-3982

Separate Parts In This Issue**Part II**

Homeland Security Department, 3983–3993
Labor Department, Employment and Training
Administration, 3993–3997

Part III

Housing and Urban Development Department, 3999–4001

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR**Administrative Orders:**

Presidential

Determinations:

No. 2005-17 of

January 7, 20053851

No. 2005-18 of

January 13, 20053853

5 CFR

5503855

5763858

8 CFR**Proposed Rules:**

2143984

10 CFR**Proposed Rules:**

203898

12 CFR

7013861

14 CFR39 (4 documents) ...3863, 3867,
3871**16 CFR**

3053874

20 CFR**Proposed Rules:**

6553993

24 CFR

10004000

33 CFR

1003879

37 CFR

13880

413880

38 CFR

363892

40 CFR

2713902

Proposed Rules:

2713894

50 CFR

6793896